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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,831	11/13/2001	Anna M. Arellano-Payne	40655.5600	8586

7590 06/25/2004
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EXAMINER


DAS, CHAMELI

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 06/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/008,831	ARELLANO-PAYNE ET AL. 	
	Examiner	Art Unit	
	C.DAS	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/17/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED DESCRIPTION

1. Claims 1-14 are pending.

Specification

2. The use of the trademark "Java" has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

3. The disclosure is objected to because of the following informalities: The disclosure does not have the "Brief Description of the Drawing" section. Appropriate correction is required.

Drawings

4. The drawings are objected to because, Figure 1 and Figure 2 do not have any text. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 13 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2, 13 and 14 contain the trademark/trade name "XML". Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe "format" and, accordingly, the identification/description is indefinite.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-4, 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Pettus, US 5,499,343.

As per claim 1, Pettus discloses:

- on said first platform, originating a request for information located on said second platform (Figure 15A, col 4, lines 49-59, col 9, lines 50-60, col 17, lines 1-10)
- translating said request into a predetermined format (col 9, lines 61-67, col 10, lines 62-66, col 17, lines 39-43 and col 19, lines 2-4)

- transmitting the translated request to said second platform (col 14, lines 40-64)
- translating the translated request from the predetermined format into a format readable by said second platform (col 14, lines 55-65, col 10, lines 3-9, col 17, lines 62-67, col 18, lines 1-10).

As per claim 3, Pettus discloses:

- accessing the requested information on the second platform (col 4, lines 55-60)
- translating the requested information into the predetermined format (col 9, lines 61-67, col 10, lines 62-66, col 17, lines 39-43 and col 19, lines 2-4)
- transmitting the requested information to the first platform in said predetermined format (col 17, lines 58-67, col 18, lines 15-21).

As per claim 4, Pettus discloses:

- translating the requested information from the predetermined format to a format readable on the first platform and using the requested information on the first platform (col 17, lines 58-67, col 18, lines 11-21).

Regarding claim 9 (Pettus, col 12, lines 21-34).

Regarding claim 10 (Pettus, abstract, Figure 15A, col 4, lines 49-59, col 9, lines 50-60, col 17, lines 1-10).

Regarding claim 11 (Pettus, col 9, lines 61-67, col 10, lines 62-66, col 17, lines 39-43 and col 19, lines 2-4, col 17, lines 58-67, col 18, lines 11-21).

Regarding claim 12 (Pettus, abstract).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pettus, US 5,499,343 and further in view of the official notice.

As per claims 2 and 13, Pettus does not specifically disclose XML format. However, official notice is taken for XML format. The modification would be obvious because XML lets developers and designers create customized tags that offer greater flexibility in organizing and presenting information in the Web.

As per claim 14, Pettus discloses:

- receiving a request for information (col 4, lines 49-59, col 9, lines 50-60, col 17, lines 1-10)
 - parsing said request into one or more different fields of information (abstract, lines 4-8), where service requests are in different filed like communications, printing etc. (col 8, lines 55-63), the service requests format and reformat (col 10, lines 3-10)
- inherently including parsing the request as claimed.

Pettus does not specifically disclose the XML format and identifying the field with tags. However, official notice is taken for XML format and tag. The modification would be obvious because XML lets developers and designers create customized tags that offer greater flexibility in organizing and presenting information in the Web.

8. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pettus, US 5,499,343 and further in view of Nakagawa et al (US 6,530,025)

As per claim 5, Pettus discloses transmitting steps uses protocols. Pettus does not specifically disclose *HTTP*. However, Nakagawa discloses HTTP (Nakagawa, col 3, lines 50-55, col 4, lines 1-2). The modification would be obvious because one of the ordinary skill in the art would be motivated to transport request and response between the distributed client and server used on the Web.

As per claim 6, Pettus discloses transmitting steps uses protocols. Pettus does not specifically disclose HTTP transmission is *secure*. However, Nakagawa discloses HTTP transmission is secure (Nakagawa, col 3, lines 50-55, col 4, lines 15-22). The modification would be obvious because one of the ordinary skill in the art would be motivated to provide a reliable environment for data transmission between networks.

As per claim 7, Pettus discloses transmitting steps uses protocols. Pettus does not specifically disclose *authentication information for access as claimed*. However, Nakagawa discloses authentication information for access as claimed (Nakagawa, col 3, lines 48-55, col 4, lines 6-36). The modification would be obvious because one of the ordinary skill in the art would be motivated to provide a reliable environment for data transmission between networks.

As per claim 8, Pettus discloses transmitting steps uses protocols. Pettus does not specifically disclose *authentication information comprises a user identification and a password*. However, Nakagawa discloses authentication information comprises a user identification and a password. (Nakagawa, col 4, lines 6-26). The modification would be obvious because one of

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the ordinary skill in the art would be motivated to provide a secure and reliable environment for data transmission between networks.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

TITLE: Method for performing distributed object calls, US 6308225 B1

TITLE: Query translation system for retrieving business vocabulary terms, US 6665662 B1

TITLE: Automatic query and transformative process, US 6438540 B2

TITLE: Testing and debugging tool for network applications, US 6219803 B1

TITLE: Method for generating and storing two segments of HTTP message headers with different lifetimes and combining them to form a single response header, US 5768515 A

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-305-1339.

The examiner can normally be reached on Monday-Friday from 7:00 A.M. to 3:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor Tuan Dam can be reached at 703-305-4552. The fax number for this group is:

(703) 872-9306.

An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-9600.

Chameli C. Das
CHAMELI C. DAS
PRIMARY EXAMINEE

6/17/04